

Maine Revised Statutes
Title 32: PROFESSIONS AND OCCUPATIONS
Chapter 126: BARBERING AND COSMETOLOGY
LICENSING HEADING: PL 1991, c. 397, §6 (new)

§14202. DEFINITIONS

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [1991, c. 397, §6 (NEW).]

1. Apprentice.

[1993, c. 630, Pt. B, §12 (RP) .]

2. Board.

[2009, c. 369, Pt. B, §1 (RP) .]

3. Commissioner. "Commissioner" means the Commissioner of Professional and Financial Regulation.

[1991, c. 397, §6 (NEW) .]

3-A. Demonstrator. "Demonstrator" means a person who is licensed to practice cosmetology, barbering, limited barbering, aesthetics or nail technology and engages in performing demonstrations outside establishments licensed by the director in the use of machines, articles or techniques pertaining to practices licensed under this chapter. The term "demonstrator" does not include one who performs demonstrations solely for persons currently licensed to practice cosmetology, barbering, limited barbering, aesthetics or nail technology under this chapter or under the licensing provision of any other state.

[2011, c. 286, Pt. M, §1 (AMD) .]

4. Department. "Department" means the Department of Professional and Financial Regulation.

[1991, c. 397, §6 (NEW) .]

4-A. Director. "Director" means the Director of the Office of Professional and Occupational Regulation within the department.

[2009, c. 369, Pt. B, §3 (NEW); 2011, c. 286, Pt. B, §5 (REV) .]

5. Establishment; shop. "Establishment" or "shop" means a beauty shop or salon, cosmetology shop or salon, barber shop or salon or hair styling shop or salon, or any premises, structure, building or part of a building where any activity licensed under this chapter is practiced.

[1991, c. 397, §6 (NEW) .]

5-A. Limited barbering. "Limited barbering" means any one or any combination of the following practices, when done for hire or compensation, upon the head of the human body for cosmetic purposes and not for the treatment of disease or physical or mental ailments:

A. Shaving, trimming or cutting the beard or mustache or removing superfluous hair; [2011, c. 286, Pt. M, §2 (NEW) .]

B. Massaging of the scalp, face and neck and giving a facial and scalp treatment with creams, lotions, oils and other cosmetic preparations, either by hand or mechanical appliances, but such appliances may not be galvanic or faradic; [2011, c. 286, Pt. M, §2 (NEW).]

C. Shampooing or applying hair tonics and conditioners; [2011, c. 286, Pt. M, §2 (NEW).]

D. Cutting, arranging and styling the human hair; or [2011, c. 286, Pt. M, §2 (NEW).]

E. Cutting, fitting or styling hairpieces or wigs. [2011, c. 286, Pt. M, §2 (NEW).]

[2011, c. 286, Pt. M, §2 (NEW) .]

6. Mobile shop. "Mobile shop" means a mobile vehicle or mobile structure designed, constructed or adapted to serve as a shop at a number of sites and capable of being readily moved from any site at any time.

[1991, c. 397, §6 (NEW) .]

7. Practice of aesthetics. "The practice of aesthetics" means the performance by any person for hire or compensation of any one or a combination of the following practices:

A. Beautifying, massaging, cleansing, stimulating, toning, or exercising the skin of the human body by the use of cosmetic preparations, tonics, lotions, creams, antiseptics or clays or any device, electrical or otherwise, for the care of the skin; [1991, c. 397, §6 (NEW).]

B. Applying makeup or eyelashes to any person; or [1991, c. 397, §6 (NEW).]

C. Trimming or tinting eyebrows and eyelashes. [1991, c. 397, §6 (NEW).]

The practice of aesthetics under this subsection does not include the diagnosis, treatment or therapy of any dermatological condition.

[1991, c. 397, §6 (NEW) .]

8. Practice of barbering. "The practice of barbering" means any one or any combination of the following practices, when done for hire or compensation, upon the upper part of the human body for cosmetic purposes and not for the treatment of disease or physical or mental ailments:

A. Shaving or trimming the beard, manicuring the fingernails, or cutting, arranging, waving or styling the hair; [1991, c. 397, §6 (NEW).]

B. Giving facial and scalp massage or treatments with cosmetic preparations, either by hand or mechanical or electrical appliances; [1991, c. 397, §6 (NEW).]

C. Singeing, dyeing, tinting, bleaching or shampooing the hair or applying cosmetic preparations to the hair, scalp, face, neck or upper part of the body; [1991, c. 397, §6 (NEW).]

D. Removing superfluous hair from the face, neck or upper part of the body; or [1991, c. 397, §6 (NEW).]

E. Cutting, fitting, coloring or styling hairpieces or wigs. [1991, c. 397, §6 (NEW).]

[1991, c. 397, §6 (NEW) .]

9. Practice of cosmetology. "The practice of cosmetology" means the performance by any person for hire or compensation of any one or more of the following practices:

A. Beautifying, massaging, cleansing, stimulating, toning, manipulating or exercising the skin of the human body by the use of cosmetic preparations, tonics, lotions, creams, antiseptics, or clays or any device, electrical or otherwise, for the care of the skin; [1991, c. 397, §6 (NEW).]

B. Applying makeup or eyelashes to any person; [1991, c. 397, §6 (NEW).]

C. Manicuring or pedicuring the nails of any person; [1991, c. 397, §6 (NEW).]

D. Arranging, dressing, curling, waving, cleansing, cutting, trimming, removing, singeing, bleaching, coloring, relaxing or similarly treating the hair of any person; [1991, c. 397, §6 (NEW).]

E. Arranging, brushing, dressing, curling, waving, cleansing, shampooing, cutting, trimming, singeing, bleaching, coloring, tinting, dyeing, straightening, relaxing or similarly treating a wig, wiglet or hairpiece made of human hair, animal hair or synthetics; or [1991, c. 397, §6 (NEW).]

F. Teaching or demonstrating cosmetology, hairdressing or beauty culture. [1991, c. 397, §6 (NEW).]

[1991, c. 397, §6 (NEW) .]

10. Nail technology. "Nail technology," which includes manicuring and pedicuring services, means the performance by any person for hire or compensation of any one or more of the following practices:

A. Applying the hands or mechanical or electrical apparatus with or without cosmetic preparations, lotions, creams or antiseptics to cut, trim, shape, polish, color, tint or apply artificial nails to the nails of any person or to massage, cleanse or beautify the hands or feet of any person. [2011, c. 286, Pt. M, §3 (AMD).]

[2011, c. 286, Pt. M, §3 (AMD) .]

10-A. School. "School" means a school or education institution where a program of study in cosmetology, barbering, limited barbering, aesthetics or nail technology or the instruction of cosmetology, barbering, limited barbering, aesthetics or nail technology is offered or taught.

[2011, c. 286, Pt. M, §4 (AMD) .]

11. Student. "Student" means any person duly enrolled in a school licensed by the director and engaged in learning and acquiring a knowledge of the practice of:

A. Cosmetology; [1991, c. 397, §6 (NEW).]

B. Barbering or limited barbering; [2011, c. 286, Pt. M, §5 (AMD).]

C. Aesthetics; [2011, c. 286, Pt. M, §5 (AMD).]

D. Nail technology; or [2011, c. 286, Pt. M, §5 (AMD).]

E. Instructing. [2011, c. 286, Pt. M, §5 (NEW).]

[2011, c. 286, Pt. M, §5 (AMD) .]

12. Tanning device.

[1995, c. 187, §1 (RP) .]

13. Trainee. "Trainee" means any person who, under the direct supervision of a person licensed under this chapter in the same category as the training performed and in accordance with rules adopted by the director, is engaged in learning and acquiring a knowledge of the practice of:

A. Cosmetology; [1993, c. 630, Pt. B, §13 (NEW).]

B. Barbering or limited barbering; [2011, c. 286, Pt. M, §6 (AMD).]

C. Aesthetics; or [1993, c. 630, Pt. B, §13 (NEW).]

D. Nail technology. [2011, c. 286, Pt. M, §6 (AMD).]

[2011, c. 286, Pt. M, §6 (AMD) .]

SECTION HISTORY

1991, c. 397, §6 (NEW). RR 1993, c. 2, §34 (COR). 1993, c. 630, §§B12,13 (AMD). 1993, c. 659, §A13 (AMD). 1995, c. 80, §1 (AMD). 1995, c. 187, §1 (AMD). 1997, c. 210, §14 (AMD). 2007, c. 402, Pt. HH, §§1, 2 (AMD). 2009, c. 369, Pt. B, §§1-5 (AMD). 2011, c. 286, Pt. B, §5 (REV). 2011, c. 286, Pt. M, §§1-6 (AMD).

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